

IN RE: HUASCAR J TAVAREZ DIAZ

Bkrtcy. No. 10-04392-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>May 22, 2010</u>	Meeting Date: <u>Sep 02, 2010</u>	DC Track No. <u>18</u>						
Days from petition date: <u>103</u>	Meeting Time: <u>1:00 PM</u>							
910 Days before Petition: <u>11/24/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>May 22, 2010 Dkt.# 3</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1</u> Bankruptcy petition.	Plan Base: <u>\$12,900.00</u>							
This is the <u>1</u> Scheduled Meeting	Confirmation Hearing Date: <u>Oct 20, 2010</u>	Time: <u>9:00 AM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$645.00</u>
Ck/MO No.	Date	Amount						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: <u>J. Prieto</u> <input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>JOSE PRIETO CARBALLO*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$155.00</u>	Outstanding: <u>\$2,845.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are) <input checked="" type="checkbox"/> Under <input type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$ 50,708.00</u>	
Commitment Period is <input checked="" type="checkbox"/> 36 <input type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: _____	
The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>Plan confirmation.</u>		
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR _____ DAYS		
§341 Meeting Rescheduled for: _____		

V. Trustee's OBJECTIONS to Confirmation:		
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]	
<input checked="" type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:
<u>① Must submit tax return 2006-2009 to Tedfa. Review @ hearing.</u> <u>② Debtor must submit DSO obligation post petition payment, address and telephone number of recipient.</u>

/s/ José R. Carrión
Trustee

Presiding Officer

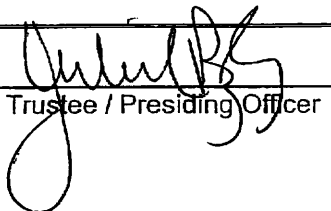
Page 1 of 2

Date: Sep 02, 2010

Case No. 10-04392

ADDITIONAL OBJECTIONS / COMMENTS:

③ Plan will be amended to eliminate value of collateral to REO, debtor intentions is to pay arrears through plan.


Trustee / Presiding Officer

Date: Sep 2, 2010